

5820. Misbranding of "La Franco Combination Treatment" and "La Franco Vitalizer No. 200." U. S. * * * v. Charles E. Luburg (La Franco Medical Co.).- Plea of guilty. Fine, \$75. (F. & D. No. 8318. I. S. Nos. 1290-m, 1291-m.)

On September 13, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles E. Luburg, trading as La Franco Medical Co., Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 27, 1916, from the State of Pennsylvania into the State of New Jersey, of quantities of articles labeled in part, "La Franco Combination Treatment" (which included "The La Franco Female Pills No. 2," "The La Franco Blood & Emmenagogue Remedy," "The La Franco Antiseptic Douche Powder," and "The La Franco Tea Tablets") and "La Franco Vitalizer No. 200," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department show the following results:

Female Pills No. 2: A coated tablet.

Coating: Iron oxid, sucrose, and starch.

Medicinal (decoated).

Average weight (gram)_____	0.29
Aloes_____	Present.
Emodin_____	Present.
Ferrous sulphate_____	Present.
Alkaloid (ergotine indicated)_____	Present.
Volatile oil (steam distillation)_____	Possible trace only.
Ash (acid-insoluble sand) (gram per tablet)_	0.015
Crude fiber (gram per tablet)_____	0.011
Ferric oxid (gram per tablet)_____	0.029
Alkaloid (gram per tablet)_____	0.0004
Phosphorus (free)_____	Absent.
Ginger extract_____	Absent.
Capsicum extract_____	Absent.
Guaiac_____	Absent.
Cantharides_____	Absent.
Veratrine_____	Absent.
Hydrastine_____	Absent.
Strychnine_____	Absent.
Lignified tissue (possibly licorice)_____	Present.

The medicinal ingredients consist essentially of aloes, emodin, ferrous sulphate, alkaloid (ergotine indicated), and a trace of crude drug.

Blood, Nerve, and Emmenagogue Remedy: A coated tablet.

Coating: Cochineal lake, sucrose, and starch.

Medicinal (decoated).

Average weight (gram)_____	0.175
Strychnine (gram per tablet)_____	0.0006
Quinine (gram per tablet)_____	0.0046
Ferric oxid (gram per tablet)_____	0.012
Phosphoric acid as P ₂ O ₅ (gram per tablet)_	0.009
Reducing sugar as lactose (gram per tablet)_	0.104
Drug extract_____	None.

Blood, Nerve, and Emmenagogue Remedy—Continued.

Powdered drug	None.
Arsenic	Trace only.
Mercury salts	Absent.
Sodium salts	Trace only.
Potassium salts	Trace only.
Phosphorus (free)	None.
Iodid	None.
Salicylate	None.

The medicinal ingredients are essentially iron, quinine, strychnine, and phosphate.

Antiseptic Douche Powder:

Boric acid (per cent by weight)	5.3
Potash alum (anhydrous) (per cent by weight)	18.5
Sodium borate (anhydrous) (per cent by weight)	47.0
Phenol (per cent by weight)	1.4
Menthol-carrying oil	Trace.
Loss at 100° C. (per cent by weight)	27.8
Mercury salt	Absent.
Arsenic	Absent.
Zinc salts	Absent.
Ammonium salts	Absent.
Starch	Absent.
Alkaloids	Absent.
Tannin	Absent.
Iodin compounds	Absent.
Copper, lead, mercury, silver, zinc, and ammonium salts	Absent.

The preparation consists essentially of borax, boric acid, alum, phenol, and oil of peppermint.

Tea Tablets:

An uncoated tablet.

Average weight (gram)	0.87
Ash (per cent by weight)	5.0
Iron and manganese oxids	Present.
Calcium, magnesium, sodium, potassium	Traces.
Lactose (per cent by weight)	90.0
Oil pennyroyal	Present.
Caffeine	None.
Alkaloid	None.
Antipyrin	None.
Emodin	None.
Resins	None.
Glycyrrhiza	None.
Vegetable extractive	Possible trace only.
Vegetable tissue	Possible trace only.
Gum	Possible trace only.
Starch	None.

Caramel: Indicated by paraldehyde test.

The preparation consists essentially of lactose, oil of pennyroyal, manganese, and iron oxids, a trace of soluble manganese salt, and a probable small amount of caramel.

The Vitalizer No. 200:

Coating: Iron oxid, sugar, and starch.

Medicinal (decoated).

Average weight (gram)-----	0.22
Ferric oxid (per cent by weight)-----	18.9
Phosphoric acid (total) as P_2O_5 (per cent by weight)-----	26.1
Zinc phosphid (per cent by weight)-----	0.08
Reducing sugars as lactose (per cent by weight)-----	30.1
Arsenic-----	Trace.
Manganese-----	Present.
Strychnine-----	Present.
Gum-----	Present.
Iodid, bromid-----	Absent.
Sodium, potassium-----	Small amount present.
Vegetable extractive-----	Absent.
Resins-----	Absent.
Phosphorus (free)-----	Absent.
Proteid-----	Little, if present.

The medicinal ingredients consist essentially of iron, manganese, zinc, arsenic, phosphate, phosphid, and strychnine.

It was alleged in substance in the information that the "Combination Treatment" was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented the articles composing it as a combination treatment for obstinate, stubborn, and long standing cases of delayed, irregular, and suppressed monthly periods, and all inflammatory conditions of vagina, womb, and uterine appendages, when, in truth and fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented the articles composing it as a remedy for the most obstinate, stubborn and long standing cases of suppression, for painful, delayed, irregular, and suppressed monthly periods, as a blood purifier, as a valuable remedy for impure and watery blood, shattered nerve forces, female weakness, leucorrhea, tardy, painful, and irregular periods, as a remedy for amenorrhea, dysmenorrhea, exhaustion, anæmia, convalescence of wasting fevers, and after all exhausting diseases, and as a remedy in the first stages of consumption and wherever, from any cause whatsoever, the energies flag, the body wastes, and the health and strength are impaired, as a remedy for tardy development of girls, whites or leucorrhea, irregular menstruation and painful menstruation, and as a treatment for irregularities, suppression, painful monthly periods, and all inflammatory conditions of the vagina, womb, and uterine appendages, when, in truth and in fact, it was not.

It was alleged in substance that "The Vitalizer" was misbranded for the reason that a certain statement appearing on its label falsely and fraudulently represented it as a remedy for nervous debility, overwork, mental strain, loss of flesh and strength, seminal weakness, spermatorrhea, impotency, nightly emissions, weakness from youthful errors and evil habits, and for loss of fluids, when, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for varicocele, sexual weakness, and sexual debility, when, in truth and in fact, it was not.

On September 24, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.